## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:06CV00252-MU

INNOVA PLAN STRATEGIES,	, LLC, )
Plair	ntiff, )
v.	) ORDER
STANDARD INSURANCE COM	MPANY, )
Defe	endant.
	)

**THIS MATTER** is before the Court upon Plaintiff's Motion to Remand, filed July 18, 2006, and Defendant's Response, filed August 1, 2006.

Under 28 U.S.C. § 1332, this Court has original jurisdiction over all civil actions involving citizens of different states, where the amount in controversy is over \$75,000. Neither Defendant nor Plaintiff dispute the amount in controversy in this case.

Defendant Standard Insurance is incorporated in Oregon and has its principal place of business in Oregon. While Defendant may be subject to personal jurisdiction in North Carolina, it is not considered a citizen of North Carolina for the purposes of establishing diversity.

IT IS THEREFORE ORDERED that Plaintiffs' Motion to Remand is hereby **DENIED**.

Signed: September 13, 2006

Graham C. Mullen United States District Judge